

RENTON CITY COUNCIL
Regular Meeting

February 6, 2006
Monday, 7:00 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Kathy Keolker called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

RANDY CORMAN, Council President; DON PERSSON; MARCIE PALMER; TERRI BRIERE; DENIS LAW; DAN CLAWSON; TONI NELSON.

**CITY STAFF IN
ATTENDANCE**

KATHY KEOLKER, Mayor; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; KAREN MCFARLAND, Engineering Specialist; LINDA HERZOG, Interim Assistant to the CAO; CHIEF GARRY ANDERSON, COMMANDER TIM TROXEL, COMMANDER CHARLES MARSALISI, and COMMANDER KEVIN MILOSEVICH, Police Department.

SPECIAL PRESENTATION
Police: Employee Recognition

Chief of Police Garry Anderson announced that Officer Craig Sjolín, Police Services Specialist Holly Trader, and Officer Steven Ritchie were each selected by their peers and honored as an Employee of the Quarter in 2005. Police Services Specialist Jacqueline Thomas, the Employee of the Fourth Quarter, was also named Employee of the Year. Chief Anderson then presented the Meritorious Service Medal to Officer Clay Deering, who on 8/4/2005, entered a burning house and rescued an elderly resident.

PUBLIC HEARING
Vacation: Jericho Ave NE,
Romano, VAC-05-005

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened the public hearing to consider the petition to vacate a portion of Jericho Ave. NE right-of-way, five feet in width and 286 feet in length, located south of NE 4th St. (Petitioner: Mike Romano, Centurion Development Services, on behalf of property owner Norris Homes, Inc.)

Karen McFarland, Engineering Specialist, reported that 100% of the abutting property owners have signed the vacation petition, and there are no City-owned or outside agency facilities in the right-of-way. Explaining that the petitioner plans to use the area in the proposed Jericho Plat development, Ms. McFarland pointed out that the vacation will benefit the public by improving traffic flow and safety, and will provide better public transit access by allowing a bus pullout at the intersection of NE 4th St. and Jericho Ave. NE. Currently, the existing right-of-way is five feet wider than the City requires, and the developer has been working with City staff to improve Jericho Ave. NE beyond the code requirements to a modified collector street standard.

Continuing, Ms. McFarland stated that although King County Assessor records and the Plat Certificate provided by the title company neglected to show the area of this vacation request as right-of-way, City staff's overall final plat review process showed this right-of-way as an area that was to be abandoned. She relayed the staff request that an easement for sidewalk, street lighting, and utilities be retained in the subject area.

Ms. McFarland explained that since the City acquired the street through the 1998 East Renton Plateau Annexation, there were no original acquisition costs. The vacation area is unimproved and City funds have not been expended for its

maintenance. Therefore, staff recommends that compensation not be charged since the easement will provide the City with all rights necessary for the City's intended use of the area, and the City will benefit from the street improvements associated with Jericho Plat. In conclusion, Ms. McFarland stated that staff recommends approval of the vacation request, and waiver of the compensation.

In response to Councilman Persson's inquiry regarding the bus pullout, Ms. McFarland explained that throughout the plat review process, the vacation area was already shown to be a part of the Jericho Plat and not right-of-way. Thus, the bus pullout has already been planned.

Mike Romano, Centurion Development Services, 22617 8th Dr. SE, Bothell, 98021, noted that the vacation proposal is holding up the recording of the final plat. He explained that the original preliminary plat map showed the area as a road easement, and therefore it was considered to be a part of the plat until discovered by City staff to be right-of-way. Mr. Romano encouraged Council to approve the vacation so that the project can move forward as originally approved by Council.

There being no further public comment, it was MOVED BY NELSON, SECONDED BY CLAWSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL APPROVE THE VACATION REQUEST SUBJECT TO AN EASEMENT IN FAVOR OF THE CITY BEING RETAINED OVER THE ENTIRE RIGHT-OF-WAY FOR SIDEWALK, STREET LIGHTING, AND UTILITIES, AND COUNCIL WAIVE COMPENSATION GIVEN THE BENEFITS THAT WILL BE RECOGNIZED BY THE CITY FROM THE ASSOCIATED STREET IMPROVEMENTS. CARRIED.

ADMINISTRATIVE REPORT

Linda Herzog, Interim Assistant to the CAO, reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2006 and beyond. Items noted included:

- ✧ The Mayor's Day of Planting is scheduled for April 22nd. This year's project will include the replacement of 26 trees along Williams Ave. S. and Houser Way S., with the help of volunteers through the Neighborhood Program.
- ✧ The Renton Community Foundation Circle of Giving donated \$1,000 to the Recreation Scholarship Program.
- ✧ The Washington State Department of Transportation is currently installing a safety fence on the SW 43rd St. overpass over SR-167 near Valley Medical Center.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Councilman Clawson, item 7.c. was removed for separate consideration.

Council Meeting Minutes of 1/23/2006

Approval of Council meeting minutes of 1/23/2006. Council concur.

Community Services: Marine Engineering Annual Consultant Roster

Community Services Department requested approval of the annual roster of consultants chosen to provide Pier, Dock and Wharf Work; River Bank Stabilization; Bridge Work; and Site Inventories and Assessments, Suitability

	and Feasibility Studies, and Permit Preparation services in 2006, with the option of extending the roster annually in 2007 and 2008 upon department approval. Council concur.
Finance: XML Interface Software License Transfer, Valley Communications	Finance and Information Services Department recommended approval of an agreement with Valley Communications Center to transfer ownership of the City's software license for the custom XML Interface that delivers closed computer aided dispatch incident data for fire and police to internal systems. Council concur. (See page 29 for resolution.)
Plat: Defoor, Cedar Ave S, PP-05-093	Hearing Examiner recommended approval, with conditions, of the Defoor Preliminary Plat; 21 single-family lots on 6.91 acres located on the 700 and 800 block of Cedar Ave. S. Council concur.
Plat: Langley Ridge at May Creek, SE May Valley Rd, PP-05-083	Hearing Examiner recommended approval, with conditions, of the Langley Ridge at May Creek Preliminary Plat; 34 single-family lots on 34 acres located south of SE May Valley Rd. between Coal Creek Parkway and NE 26th St. Council concur.
Human Resources: Police & Fire Chiefs Exemption from Civil Service	Human Resources and Risk Management Department recommended approval of the exemption of both the Police and Fire Chief positions from civil service. Refer to <u>Public Safety Committee</u> .
Transportation: FlexPass Program, King County & Sound Transit & Pierce Transit	Transportation Systems Division recommended approval of a contract with King County, Sound Transit, and Pierce Transit to continue the FlexPass Commute Trip Reduction Program for City employees in the amount of \$22,770 for 2006-2007. Council concur.
Utility: Annual Consultant Roster	Utility Systems Division requested approval of the annual roster of consultants chosen to provide General Utility Engineering, Hydraulics/Hydrology, Soils/Geotechnical, Geohydrology, Plan Review, Construction/Inspection, and Corrosion Control services in 2006, with the option of extending the roster annually in 2007 and 2008 upon department administrator approval. Council concur.
CAG: 05-001, Sunset Sewer Interceptor Phase II, Robison Construction	Utility Systems Division submitted CAG-05-001, Sunset Sewer Interceptor Phase II; and requested approval of the project, authorization for final pay estimate in the amount of \$8,638.72, commencement of 60-day lien period, and release of retainage bond in the amount of \$95,793.40 to Robison Construction Inc., contractor, if all required releases are obtained. Council concur.
	MOVED BY CORMAN, SECONDED BY PALMER, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEM 7.c. FOR SEPARATE CONSIDERATION. CARRIED.
<u>Separate Consideration</u> <u>Item 7.c.</u> EDNSP: Community Marketing Campaign, Hamilton/Saunderson	Economic Development, Neighborhoods and Strategic Planning Department (EDNSP) recommended approval of a contract with Hamilton/Saunderson Marketing Partnership in the corrected amount of \$132,500 to administer the Renton Community Marketing Campaign. Councilman Clawson noted that Council approved the contract in the amount of \$112,500 on 1/9/2006, and asked why more money is needed. City Attorney Larry Warren explained that the contract is funded by lodging tax collections in the amount of \$62,500, stakeholder contributions in the amount of \$50,000, and EDNSP's "Business Recruitment" budget line item in the amount of \$20,000. Although budgeted for, the \$20,000 was not included when the contract was originally presented to Council.

MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL APPROVE CONSENT AGENDA ITEM 7.c. AS PRESENTED. CARRIED.

UNFINISHED BUSINESS
Transportation (Aviation)
Committee

Transportation: SR-169,
Classification as Highway of
Statewide Significance

Transportation (Aviation) Committee Chair Palmer presented a report regarding the classification of SR-169 as a Highway of Statewide Significance. SR-169 was not included in the current list of Highways of Statewide Significance that was created in 2004. Since this issue may not be reconsidered for another five years, the Committee recommended that this matter be removed from the Committee's referral list. MOVED BY PALMER, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

CAG: 05-165, NE Sunset
Blvd/Duvall Ave NE
Intersection Improvements,
Sanders General Construction

Transportation (Aviation) Committee Chair Palmer presented a report recommending concurrence in the staff recommendation to authorize the Mayor and City Clerk to award construction contract CAG-05-165 in the amount of \$1,655,345.54 to Sanders General Construction Company for the NE Sunset Blvd. (SR-900)/Duvall Ave. NE Intersection Improvements Project. The Committee further recommended the transfer of \$1,528,369 from Fund 317 year-end 2005 fund balance to this project. MOVED BY PALMER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Public Safety Committee
Development Services:
Nuisance Ordinance

Public Safety Committee Chair Law presented a report regarding the ordinance on criminal penalties, civil penalties, and nuisances. The ordinance was substantially reworked to streamline it, to remove outdated sections, and to acknowledge the shift from civil penalties to criminal penalties, necessitated by the court's high standing to obtain search warrants. Code enforcement staff made a number of suggestions to make enforcement easier and to provide code language to more easily resolve some common complaints. Finally, a section was added to the noise ordinance dealing with the citizens' complaints about extremely loud noise.

The Committee recommended that Council adopt the ordinance on criminal penalties, civil penalties, and nuisances. MOVED BY LAW, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 29 for ordinance.)

Utilities Committee
WSDOT: Springbrook Creek
Wetland and Habitat
Mitigation Bank Concurrence

Utilities Committee Chair Clawson presented a report recommending concurrence in the staff recommendation to approve the concurrence letter for the following draft agreements associated with the City of Renton/Washington State Department of Transportation (WSDOT) Springbrook Creek Wetland and Habitat Mitigation Bank based upon the current basic agreement principles:

- Bank Oversight Committee/Co-Sponsors Memorandum of Agreement;
- Mitigation Banking Instrument;
- City of Renton/WSDOT Springbrook Creek Wetland and Habitat Mitigation Bank Agreement; and
- Conservation Easement.

The Committee further recommended that the Mayor and City Clerk be authorized to sign the concurrence letter for the pending agreements. MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Community Services
Committee**

Community Services: Museum
Management, Renton
Historical Society

Community Services Committee Chair Nelson presented a report recommending concurrence in the staff recommendation to approve a ten-year museum management agreement, with an option for an additional ten years, with the Renton Historical Society. The Committee further recommended that the Mayor and City Clerk be authorized to sign the agreement. MOVED BY NELSON, SECONDED BY PALMER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**RESOLUTIONS AND
ORDINANCES****Resolution #3789**

Finance: XML Interface
Software License Transfer,
Valley Communications

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal agreement with Valley Communications entitled "Custom XML Interface Agreement." MOVED BY BRIERE, SECONDED BY PALMER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinance was presented for first reading and referred to the Council meeting of 2/13/2006 for second and final reading:

Development Services:
Nuisance Ordinance

An ordinance was read amending Chapter 1-3, Remedies and Penalties, of Title I (Administrative) of City Code by clarifying definitions, nuisances, civil and criminal violations, and penalties. MOVED BY LAW, SECONDED BY NELSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 2/13/2006. CARRIED.

ADJOURNMENT

MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL ADJOURN. CARRIED. Time: 7:44 p.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann
February 6, 2006